

Remarks

The present response is to the Office Action mailed 12/26/2007. Claims 22-35 are presented for Examination.

Double Patenting

Claim 22-35 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. *Patent No. 6,389,028*.

Claim 22 and 29 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 12 of U.S. *Patent No. 6,724,764*.

Applicant's response

Applicant herein files a terminal disclaimer for each referenced patent in compliance with 37 CFR 1.321 (c) to overcome the provisional rejections.

Rejection under 35 U.S.C. 112

Claims 25 and 32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claims 25 and 32, Applicant is claiming in lines 1 and 2, *"wherein selecting the call hyperlink placing the IPNT call also invokes the URL,"* which is not clear to Examiner as to exactly what Applicant is claiming. Examiner questions whether Applicant has left out additional words that may clarify Applicants claimed invention.

Applicant's response

Applicant herein amends claims 25 and 32 to recite; "wherein selecting the call hyperlink also invokes the URL for the web page including the communication status." Applicant believes by removing the objectionable language, the claims overcome the 112 rejection.

Merit rejection under 35 U.S.C. 102(e)

Claims 22-24, 28-31 and 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Albert Coussement (US PG PUB 2002/0056000).

Examiner's rejection

Regarding claim 22 and 29, Albert (US PG PUB 2002/0056000) discloses an interaction interface for communication center customers wherein status monitoring for the communication center and client/agent status is utilized, whereby the client uses the user interface (69) and (125) to access and alter communication center data (Abstract), a status server (monitoring facility) associated with user interface (125) (Fig. 2, 8 & 9, paragraph 0073, 0077, 0081, 0155, 0157) is provided within the communication center and utilized to monitor agent status, and an estimated waiting time (EWT) is utilized for each queue of each agent (paragraph 0034, 0043, 0063, 0069, when monitoring facility is accessed through a user interface, the monitoring facility provides an agent status and an estimated wait time for contact with an agent), management applications include status alerts associated to client and or agent states (paragraph 0038, wait time notification).

Applicant's response

Applicant points out that claims 26 and 27 are not listed as being rejected under 35 U.S.C. 102(e), but because the Examiner gives reasoning for rejecting the claims under 102(e) statements, applicant will assume for the sake of the current Response that the Examiner includes claims 26 and 27 in the 102(e) rejection.

Applicant also points out to the Examiner that the priority date of the present application is before the priority date of the Albert reference of **11/08/2000**. The present application is a continuation application of co-pending patent application serial number 10/086,337 entitled "Method and Apparatus for Providing Estimated Response-Wait-Time Displays for Data Network-Based Inquiries to a Communication Center," which is a divisional of U.S. Patent No. 6,389,028 entitled "Method and Apparatus for Providing

Estimated Response-Wait-Time Displays for Data Network-Based Inquiries to a Communication Center,” filed on **09/24/1999**.

Applicant argues that the subject matter of the present claims is clearly disclosed in parent patent 6,389,028, a fact to which the examiner apparently agrees by virtue of the DP rejections. Therefore, the reference of Albert (really Coussement) is not a valid reference and the 102(e) rejection should be withdrawn.

Summary

Applicant believes that claims 22 and 29 are patentable as the Examiner has not provided a valid reference. Dependent claims 25 and 32, as amended, overcome the 112 rejection and because there is no rejection on the merits of said claims, they are also patentable. Claims 23-24, 26-28, 30-31 and 33-35 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims are shown to be patentable over the Examiner’s rejections and objections, applicant respectfully requests reconsideration and the case be passed quickly to issue. If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
Oleg Bondarenko et al.

By **/Donald R. Boys/**
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755